

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

RESPONSE TO NOTICE TO ADVISE OF SCHEDULING CONFLICTS

Case Number: 24-1627, 2024-1628, 2024-1631, 2024-1632, 2024-1633, 20

Short Case Caption: WAG Acquisition, LLC v. Walt Disney Company

Party Name(s): Amazon.com, Inc., Amazon Web Services, Inc., Amazon.co

INFORMATION: The court uses this form to determine whether and when to schedule cases for oral argument. Arguing counsel may be changed later, but a motion to reschedule is required once the court schedules argument. Please plan in advance to adhere to the limit on the number of arguing counsel in Fed. Cir. R. 34(e).

Argument Waiver ☐ My party intends to waive oral argument.

NOTE: Filers checking this box must still complete the below sections. **The court may still schedule this case for oral argument even if any party intends to waive argument.** If scheduled, parties may still elect to waive argument using the response to notice of oral argument form.

Other Parties Representing Interests

☐ Counsel for another party will represent my party's interests at oral argument

NOTE: If this box is checked, skip the remaining sections. Any argument date will be selected based on conflict dates for counsel arguing on behalf of your party.

Name of Expected Arguing Counsel	J. David Hadden
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Dates Unavailable

Do you have dates of unavailability within the specific sessions identified by the court's Notice to Advise of Scheduling Conflicts in your case?

☒ Yes ☐ No

If yes, attach a separate sheet listing **up to ten dates** of unavailability and **include a statement showing good cause for each date.** Dates without good cause or that do not pertain to arguing counsel (e.g., client conflicts) will not be accepted. The court will only accept dates for one counsel and only if that counsel has filed an entry of appearance. The Clerk's Office will evaluate and note accepted or rejected conflict dates; counsel may contact the Clerk's Office about re-filing if dates are rejected. *See* Fed. Cir. R. 34(d); Practice Notes to Rule 34.

FORM 32. Response to Notice to Advise of Scheduling Conflicts

Form 32
March 2023

Potential Case Conflicts

Are there other pending cases before this court (regardless of case status) in which expected arguing counsel in this case also expects to argue?

☒ Yes ☐ No

If yes, attach a separate sheet listing those cases.

I certify the above information and any attached statement is complete and accurate. I further certify that I will update my notice should new conflicts arise or existing conflicts change.

Date: 03/28/2025

Signature: /s/ J. David Hadden

Name: J. David Hadden

No. 2024-1627, 2024-1628, 2024-1631, 2024-1632, 2024-1633, 2024-1634

**United States Court of Appeals
For the Federal Circuit**

WAG ACQUISITION, LLC

Appellant,

v.

THE WALT DISNEY COMPANY, DISNEY STREAMING SERVICES, LLC,
HULU, LLC, NETFLIX, INC., GOOGLE LLC, AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., AMAZON.COM SERVICES LLC

Appellees.

Appeals from the United States Patent and Trademark Office, Patent Trial
and Appeal Board in Nos. IPR2022-01227, IPR2022-01228,
IPR2022-1412, IPR2022-01413, IPR2022-01430, IPR2022-01433

**APPELLEES' STATEMENT OF GOOD CAUSE
FOR SCHEDULING CONFLICTS**

J. DAVID HADDEN
SAINA S. SHAMILOV
JOHNSON KUNCHERIA
JOHNATHAN LEE CHAI
FENWICK & WEST LLP
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041
(650) 988-8500

March 28, 2025

BRIAN HOFFMAN
FENWICK & WEST LLP
555 CALIFORNIA STREET, 12TH FLOOR
SAN FRANCISCO, CA 94104
(415) 875-2484

KEVIN X. MCGANN
FENWICK & WEST LLP
902 BROADWAY, 14TH FLOOR
NEW YORK, NY 10010
(212) 430-2600

JONATHAN G. TAMIMI
FENWICK & WEST LLP
401 UNION ST., 5TH FLOOR
SEATTLE, WA 98101

(206) 913-4325

Counsel for Appellees

*Amazon.com, Inc., Amazon Web Services,
Inc., and Amazon.com Services LLC*

Counsel for Appellees Amazon.com, Inc., Amazon Web Services, Inc., and Amazon.com Services LLC (collectively, “Amazon”) provides this Statement of Good Cause in support of the Response to Notice to Advise of Scheduling Conflicts for the Court’s sessions from June through November 2025.

Counsel for Amazon has the following conflicts:

- October 7-9, 2025: Counsel is scheduled to act as lead counsel at a *Markman* hearing on October 8, 2025, in *AlmondNet v. Amazon.com, Inc.*, No. 6:21-cv-00898-ADA, currently pending before the United States District Court for the Western District of Texas. Counsel will be required to travel to Texas on October 7 and return on October 9.

Good cause therefore exists for the Court not to schedule oral argument for October 7 through 9, 2025.

Counsel also has a potential conflict as he intends to argue the following matters currently before this Court:

- *Ceiva Opco, LLC v. Amazon.com, Inc.*, No. 24-1721 (Fed. Cir.)
- *TrackTime, LLC v. Amazon.com Services LLC*, No. 24-1102 (Fed. Cir.)
- *AlterWAN, Inc. v. Amazon.com, Inc.*, No. 25-1285 (Fed. Cir.)

Respectfully submitted,

March 28, 2025

FENWICK & WEST LLP

By: /s/ J. David Hadden

J. David Hadden

Counsel for Appellees

*Amazon.com, Inc., Amazon Web Services,
Inc., and Amazon.com Services LLC*

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on March 28, 2025, I caused the foregoing **APPELLEES' STATEMENT OF GOOD CAUSE FOR SCHEDULING CONFLICTS** to be served on the following parties as indicated below:

<p>Ronald Abramson Ari J. Jaffess LISTON ABRAMSON LLP The Chrysler Building 405 Lexington Ave., 46th Flr. New York, NY 10174</p> <p>Attorneys for Appellant WAG Acquisition, LLC</p>	<p><input type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger <input checked="" type="checkbox"/> By Electronic CM/ECF <input type="checkbox"/> By Overnight Express Mail <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Email ron.abramson@listonabramson.com ari.jaffess@listonabramson.com</p>
<p>Eamonn Gardner Orion Armon COOLEY LLP 1144 15th St., Ste. 2300 Denver, CO 80202</p> <p>Heidi Lyn Keefe COOLEY LLP 3175 Hanover St. Palo Alto, CA 94303</p> <p>Attorneys for Appellee Google LLC</p>	<p><input type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger <input checked="" type="checkbox"/> By Electronic CM/ECF <input type="checkbox"/> By Overnight Express Mail <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Email egardner@cooley.com oarmon@cooley.com hkeefe@cooley.com</p>

<p>Stanley J. Panikowski DLA PIPER LLP (US) 4365 Executive Dr., Ste. 1100 San Diego, CA 92121-2133</p> <p>Larissa S. Bifano DLA PIPER LLP (US) 33 Arch St., 26th Flr. Boston, MA 02110-1447</p> <p>Counsel for Appellees The Walt Disney Company; Disney Streaming Services LLC; Hulu, LLC; Netflix, Inc.</p>	<p><input type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger <input checked="" type="checkbox"/> By Electronic CM/ECF <input type="checkbox"/> By Overnight Express Mail <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Email stanley.panikowski@us.dlapiper.com larissa.bifano@us.dlapiper.com</p>
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By: /s/ J. David Hadden
J. David Hadden
FENWICK & WEST LLP

Counsel for Defendants-Appellees
*Amazon.com, Inc., Amazon.com Services
LLC, and Amazon Web Services, Inc.*